



09/943420

COFC

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on the date listed below.

By: Barbara Bryant

Date: August 5, 2005

PATENT  
Attorney Docket No. P-097-R  
Customer No. 27038

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patent Number: U.S. 6,756,400 B2

Confirmation No. 7837

Issued: June 29, 2004

Name of Patentee: CHINN et al.

Certificate  
AUG 10 2005  
of Correction

Title: SODIUM CHANNEL MODULATORS

**REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT FOR  
PTO MISTAKE (37 C.F.R. §1.322(a))**

ATTN: Certificate of Correction Branch  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Assignee hereby requests that a certificate of correction be issued for the above-identified issued U.S. patent. The requested corrections are shown on the attached PTO/SB/44 form (1 page), which form is being submitted herewith in duplicate in a form suitable for printing.

**I. CORRECTIONS REQUESTED FOR PTO MISTAKE PURSUANT TO 37 C.F.R. § 1.322(A)**

The following mistakes in the issued U.S. patent are due to PTO error:

(1) In Column 94, at line 1, (Claim 1), after "bond", please insert -- ; --.

This mistake is clearly disclosed in the records of the Office at, for example, page 2, text line 10, of the Amendment submitted by Applicants on January 16, 2004.

AUG 12 2005

{ (2) In Column 94, at line 21, (Claim 1), "-S(O)NR<sup>d</sup>R<sup>e</sup>" should read -- -S(O)<sub>m</sub>NR<sup>d</sup>R<sup>e</sup>, --.

This mistake is clearly disclosed in the records of the Office at, for example, page 3, line 3, of the Amendment submitted by Applicants on January 16, 2004.

(3) In Column 94, at line 22, (Claim 1), "CO<sub>2</sub>R<sup>d</sup>," should read -- -CO<sub>2</sub>R<sup>d</sup>, --.

This mistake is clearly disclosed in the records of the Office at, for example, page 3, line 4, of the Amendment submitted by Applicants on January 16, 2004.

(4) In column 94, at line 23, (Claim 1), "OC(O)R<sup>d</sup>," should read -- -OC(O)R<sup>d</sup>, --.

This mistake is clearly disclosed in the records of the Office at, for example, page 3, line 4, of the Amendment submitted by Applicants on January 16, 2004.

(5) In column 94, at line 24, (Claim 1), "-C(O)NR<sup>d</sup>R<sup>c</sup>," should read -- -C(O)NR<sup>d</sup>R<sup>e</sup>, --.

This mistake is clearly disclosed in the records of the Office at, for example, page 3, line 5, of the Amendment submitted by Applicants on January 16, 2004.

(6) In column 94, at line 24, (Claim 1), "-NR<sup>d</sup>C(O)R<sup>c</sup>," should read -- -NR<sup>d</sup>C(O)R<sup>e</sup>, --.

This mistake is clearly disclosed in the records of the Office at, for example, page 3, line 5, of the Amendment submitted by Applicants on January 16, 2004.

(7) In column 94, at line 24, (Claim 1), "-OC(O)NR<sup>d</sup>R<sup>c</sup>," should read -- -OC(O)NR<sup>d</sup>R<sup>e</sup>, --.

This mistake is clearly disclosed in the records of the Office at, for example, page 3, line 5, of the Amendment submitted by Applicants on January 16, 2004.

(8) In column 94, at line 25, (Claim 1), "-NR<sup>d</sup>C(O)OR<sup>c</sup>," should read -- -NR<sup>d</sup>C(O)OR<sup>e</sup>, --.

This mistake is clearly disclosed in the records of the Office at, for example, page 3, line 5, of the Amendment submitted by Applicants on January 16, 2004.

(9) In column 94, at lines 25-26, (Claim 1), "-CR<sup>d</sup>(=N-OR<sup>c</sup>)," should read --CR<sup>d</sup>(=N-OR<sup>e</sup>),--.

This mistake is clearly disclosed in the records of the Office at, for example, page 3, line 7, of the Amendment submitted by Applicants on January 16, 2004.

(10) In Column 95, at line 16, (Claim 2), after "-CR<sup>5</sup>R<sup>6</sup>-;" insert -- R<sup>2</sup> is a covalent bond; --.

This mistake is clearly disclosed in the records of the Office at, for example, page 4, Claim 43, text line 5, of the Amendment submitted by Applicants on January 16, 2004.

(11) In Column 100, at line 26, (Claim 12), "3, 6," should read -- 3-6 --.

This mistake is clearly disclosed in the records of the Office at, for example, page 13, at line 2 of Claim 72, of the Amendment submitted by Applicants on January 16, 2004. Claims 46-49 correspond to Claims 3-6 of the issued patent.

Since the above errors are due to USPTO mistake, Assignee respectfully requests that a timely Certificate of Correction be issued to correct these mistakes.

## II. FEE PAYMENT

Since this paper is being submitted to correct an error by the USPTO, no fee is believed to be required. However, if a fee is determined to be necessary, the Commissioner is hereby authorized to charge any fees required by this paper, and to charge any additional fees and credit any overpayment to Deposit Account No. 50-0344.

## III. MAILING ADDRESS FOR CERTIFICATE

A certificate of correction issued for this U.S. patent should be sent to the following address:

Jeffrey A. Hagenah, Esq.  
Theravance, Inc.  
901 Gateway Boulevard  
South San Francisco, CA 94080

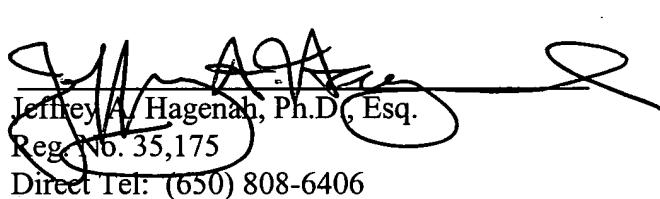
IV. STATEMENT UNDER 37 C.F.R. § 3.73(B)

Theravance, Inc., a corporation, states that it is the assignee of the entire right, title and interest in the patent identified above by virtue of an Assignment from the inventors to Advanced Medicine, Inc. of U.S. Patent Application No. 09/943,420, recorded on February 12, 2002, at Reel 012610 and Frame 0096; and by virtue of a merger conveying the entire right, title and interest from Advanced Medicine, Inc. to Theravance, Inc., recorded on June 14, 2002, at Reel 013005 and Frame 0079.

I, Jeffrey A. Hagenah, Assistant Secretary of Theravance, Inc., state that I am empowered to sign this statement on behalf of the assignee.

Respectfully submitted,  
THERAVANCE, INC.

Date: August 5, 2005



Jeffrey A. Hagenah, Ph.D., Esq.  
Reg. No. 35,175  
Direct Tel: (650) 808-6406

Correspondence Address:  
THERAVANCE, INC.  
Attn: Legal Dept  
901 Gateway Boulevard  
South San Francisco, CA 94080  
Tel: (650) 808-6000; Fax: (650) 808-6078

AUG 12 2005

**UNITED STATES PATENT AND TRADEMARK OFFICE**  
**CERTIFICATE OF CORRECTION**

PATENT NO : 6,756,400 B2

DATED : June 29, 2004

INVENTOR(S) : CHINN et al.

It is certified that error appears in the above-identified patent and that said Letters Patent are hereby corrected as shown below:

Column 94, line 1, after "bond", insert -- ; --;  
 Column 94, line 21, "-S(O)NR<sup>d</sup>R<sup>e</sup>" should read -- -S(O)<sub>m</sub>NR<sup>d</sup>R<sup>e</sup>, --;  
 Column 94, line 22, "CO<sub>2</sub>R<sup>d</sup>," should read -- -CO<sub>2</sub>R<sup>d</sup>, --;  
 Column 94, line 23, "OC(O)R<sup>d</sup>" should read -- -OC(O)R<sup>d</sup>, --;  
 Column 94, line 24, "-C(O)NR<sup>d</sup>R<sup>c</sup>," should read -- -C(O)NR<sup>d</sup>R<sup>e</sup>, --;  
 Column 94, line 24, "-NR<sup>d</sup>C(O)R<sup>c</sup>" should read -- -NR<sup>d</sup>C(O)R<sup>e</sup>, --;  
 Column 94, line 24, "-OC(O)NR<sup>d</sup>R<sup>c</sup>," should read -- -OC(O)NR<sup>d</sup>R<sup>e</sup>, --;  
 Column 94, line 25, "-NR<sup>d</sup>C(O)OR<sup>c</sup>," should read -- -NR<sup>d</sup>C(O)OR<sup>e</sup>, --;  
 Column 94, lines 25-26, "-CR<sup>d</sup>(=N-OR<sup>c</sup>)," should read -- -CR<sup>d</sup>(=N-OR<sup>e</sup>), --;  
 Column 95, line 17, after "-CR<sup>5</sup>R<sup>6</sup>;" insert - R<sup>2</sup> is a covalent bond; --.  
 Column 100, line 26, "3, 6," should read -- 3-6 --.

MAILING ADDRESS OF SENDER: Jeffrey A. Hagenah, Esq.  
 Theravance, Inc  
 901 Gateway Boulevard  
 South San Francisco, CA 94080

PATENT NO. 6,756,400 B2  
 No. of additional copies



This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*

AUG 12 2005